

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY PANAMA IMMEDIATE

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E.O.11652: DECONTROL FOLLOWING PUBLICATION OF LETTER.

TAGS: PN, PFOR

SUBJECT: U.S.-PANAMA TREATY NEGOTIATIONS:

-- LETTER TO CANAL ZONE GOVERNOR

FOR AMBASSADOR FROM DEPUTY NEGOTIATOR

1. IN AN EFFORT TO COMBAT THE RUMORS NOW RIFE IN THE ZONE CONCERNING THE NEGOTIATIONS AND TO ALLEVIATE THE APPREHENSIONS OF EMPLOYEES, THE CHIEF NEGOTIATOR HAS ADDRESSED A LETTER TO GOVERNOR PARFITT FOR PUBLICATION. ANOTHER OBJECTIVE OF THE LETTER IS TO CONVEY A FEW MESSAGES TO PANAMA. THE MOST IMPORTANT IS THAT PREMATURE REVELATION OF THE DETAILS OF NEGOTIATING AGREEMENTS IS NOT HELPFUL.

2. THE SIGNED ORIGINAL WILL BE POUCHED DIRECTLY TO PARFITT. ARMY SECRETARY CALLAWAY HAS CONCURRED IN THE TEXT. A COPY OF THE LETTER WILL APPEAR IN THE MAY 2 SPILLWAY.

3. BEGIN QUOTE. MAY 1, 1975, DEAR GOVERNOR PARFITT:

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4. AS THE UNITED STATES MOVES TOWARD A NEW TREATY RELATIONSHIP WITH PANAMA, YOU AND I WILL SHARE AN IMPORTANT CONCERN -- THE PROTECTION OF THE RIGHTS AND INTERESTS OF THE EMPLOYEES OF THE PANAMA CANAL ENTERPRISE.

5. I THOUGHT IT WOULD BE APPROPRIATE TO WRITE YOU AT THE OUTSET OF YOUR TENURE AS GOVERNOR TO EMPHASIZE MY INTENT TO PROVIDE THAT PROTECTION.

6. WITHOUT IT THE NEW RELATIONSHIP COULD NOT BE FULLY EQUITABLE AS BETWEEN THE PARTIES.

7. YOU MAY KNOW THAT DURING MY FIRST VISIT TO PANAMA IN NOVEMBER OF 1973, I MET WITH REPRESENTATIVE GROUPS OF EMPLOYEES IN THE CANAL ZONE, TO ACQUAINT MYSELF WITH THEIR SENTIMENTS ON A NEW TREATY. I SHALL HOPE TO BE ABLE TO MEET WITH THEM AGAIN DURING MY NEXT VISIT TO PANAMA. MY PURPOSE WILL BE TO OFFER A PERSPECTIVE ON THE COURSE OF THE NEGOTIATIONS THUS FAR.

8. I MUST BE FRANK, HOWEVER, IN SAYING THAT THERE WILL BE LIMITS TO THE PERSPECTIVE I CAN OFFER.

9. THE TWO COUNTRIES HAVE BEEN ATTEMPTING TO REACH AN ACCOMMODATION OF THE NATIONAL INTERESTS OF EACH SINCE THE UNFORTUNATE EVENTS OF 1964. THAT THEY HAVE NOT YET BEEN ABLE TO REACH IT IS IN PART THE CONSEQUENCE OF PREMATURE PUBLIC REVELATIONS OF THE DETAILS OF IMPORTANT MATTERS AGREED UPON -- OR NOT AGREED UPON -- DURING NEGOTIATION. THE PUBLIC DISCUSSION WHICH ENSUED MADE IT IMPOSSIBLE FOR THE TWO GOVERNMENTS TO EXERCISE THE FLEXIBILITY REQUIRED TO COMPLETE THE PROCESS OF ACCOMMODATION.

10. I CANNOT CONTRIBUTE TO A REPETITION OF THOSE NEGOTIATING MISFORTUNES. ACCORDINGLY I SHALL BE ABLE TO OFFER ONLY A BROAD, RATHER THAN A DETAILED, PERSPECTIVE.

11. I AM AWARE, OF COURSE, AND VERY MUCH REGRET, THAT THE ABSENCE OF DETAILED INFORMATION LEADS TO RUMOR AND TO ANXIETY AMONG THOSE WHO STAND TO BE AFFECTED BY CHANGE IN LIMITED OFFICIAL USE
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THE PANAMA-UNITED STATES RELATIONSHIP. RUMOR AND ANXIETY HAVE UNDOUBTEDLY BEEN REINFORCED BY SPECULATION IN THE MEDIA OF BOTH COUNTRIES CONCERNING THE NEGOTIATIONS -- SPECULATION WHICH HAS IN THE MAIN BEEN FALSE OR MISLEADING.

12. I UNDERSTAND, FOR EXAMPLE, THAT A RUMOR IS CIRCULATING THAT THE UNITED STATES INTENDS TO TRANSFER POLICE, FIRE, CUSTOMS, POSTAL, EDUCATIONAL AND OTHER JURISDICTIONAL SERVICES TO PANAMA THROUGH EXECUTIVE ACTION WITHOUT THE APPROVAL OF CONGRESS. THAT IS NOT SO. ANY PROPOSED CHANGE IN BASIC UNITED STATES RELATIONS WITH PANAMA, AND ESPECIALLY ANY JURISDICTIONAL CHANGE, WOULD BE SUBMITTED TO THE CONGRESS FOR APPROVAL. I AM CONFIDENT THAT THE CONGRESS

WOULD SCRUTINIZE PROPOSED CHANGES CAREFULLY, TO ASSURE THAT THE PARAMOUNT INTERESTS OF OUR COUNTRY AND ITS CITIZENS ARE SAFEGUARDED.

13. I WOULD HOPE THAT THE EMPLOYEES OF THE ENTERPRISE WOULD TREAT ANY SUCH SPECULATION AND, INDEED, ANY REPORTS ON THE NEGOTIATIONS WHICH DO NOT COME TO THEM FROM OFFICIAL UNITED STATES SOURCES, WITH A CONSIDERABLE MEASURE OF SKEPTICISM. I SHOULD ADD THAT A GOOD DEAL OF THE SPECULATION AND RUMOR RELATES TO ELEMENTS IN THE NEW RELATIONSHIP WHICH HAVE NOT BEEN ADDRESSED BY THE NEGOTIATORS, MUCH LESS RESOLVED.

14. I SHOULD ALSO EMPHASIZE THAT IN THIS, AS IN ANY OTHER MAJOR INTERNATIONAL NEGOTIATION, AGREEMENTS MADE ALONG THE NEGOTIATING PATH ARE TENTATIVE ONES, SUBJECT TO MODIFICATION AS THE PARTIES REACH THE POINT OF PREPARING A FINAL "PACKAGE" OF AGREEMENTS.

15. MUCH WORK REMAINS TO BE DONE, MANY DIFFICULT ISSUES REMAIN TO BE NEGOTIATED, BEFORE THAT POINT IS REACHED. IT IS ONLY AFTER THAT POINT IS PASSED THAT THE NEGOTIATORS WOULD BEGIN THE DRAFTING OF TREATY TEXTS.

16. NATURALLY MY INTENT IS TO NEGOTIATE A NEW RELATIONSHIP WHICH, WHILE REFLECTING THE LEGITIMATE NATIONAL INTERESTS OF PANAMA, PROVIDES THE SAFEGUARDS THAT WILL LIMITED OFFICIAL USE
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LEAD TO CONGRESSIONAL APPROVAL OF IT.

17. PLAINLY THERE IS OPPOSITION IN THE CONGRESS TO A NEW RELATIONSHIP WITH PANAMA. I HAVE URGED MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, HOWEVER, TO WITHHOLD JUDGMENT ON THE MATTER OF A NEW RELATIONSHIP UNTIL THEY HAVE AN OPPORTUNITY TO EXAMINE ITS CONFIGURATION.

18. I WOULD ASK THE SAME OF THE EMPLOYEES OF THE PANAMA CANAL ENTERPRISE.

19. THE CONFIGURATION FOR WHICH I AM STRIVING IS ONE OF A PARTNERSHIP IN THE ENTERPRISE FAIR TO BOTH COUNTRIES. THE JOINT STATEMENT OF PRINCIPLES OF FEBRUARY 7, 1974, SKETCHED THE BROAD OUTLINE OF THAT PARTNERSHIP. IN EFFECT:

20. -- FOR THE NEW TREATY'S LIFETIME THE UNITED STATES WILL RETAIN THE RESPONSIBILITY AND RIGHTS NECESSARY FOR THE OPERATION AND MAINTENANCE OF THE CANAL AND THE TRANSIT OF SHIPS.

21. -- UPON THE TREATY'S EXPIRATION, HOWEVER, PANAMA WILL

ASSUME THOSE RESPONSIBILITIES AND RIGHTS.

22. -- IN ORDER TO MAKE IT POSSIBLE FOR PANAMA TO ASSUME THOSE RESPONSIBILITIES AND RIGHTS IN A MANNER WHICH WILL PERMIT THE UNINTERRUPTED AND EFFICIENT OPERATION OF THE WATERWAY, PANAMA'S PARTICIPATION IN ALL ASPECTS OF CANAL OPERATION WILL INCREASE OVER TIME IN AN ORDERLY, MUTUALLY-AGREED FASHION.

23. -- IN ADDITION, DURING THE TREATY PERIOD PANAMA WILL ASSUME - AGAIN IN AN ORDERLY FASHION - THE JURISDICTIONAL RESPONSIBILITIES NOW EXERCISED BY THE UNITED STATES IN THE PRESENT CANAL ZONE.

24. ONE OF THE INDISPENSABLE DETAILS TO BE INCORPORATED INTO THAT OUTLINE IS AN ARRANGEMENT WHEREBY THOSE WHO HAVE CONTRIBUTED TO MAKING THE PANAMA CANAL THE GRAND ENTERPRISE IT IS TODAY WILL NOT ONLY WISH TO CONTINUE MAKING THAT CONTRIBUTION BUT WILL ALSO WELCOME THE NEW LIMITED OFFICIAL USE
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ENVIRONMENT IN WHICH TO MAKE IT. ALL NEGOTIATORS HAVE CRITICAL OBJECTIVES. SECURING THAT ARRANGEMENT IS ONE OF MINE.

25. WITH RESPECTS AND ALL GOOD WISHES, SINCERELY,
ELLSWORTH BUNKER.END QUOTE. KISSINGER

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